

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Bail Appl..No. 7389 of 2006()

CC.234/2005 of J.M.F.C.-I,KOTTARAKKARA
Crime No.448/2000 of Kottarakara Police Station
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PETITIONER/ACCUSED:

SUBHASH, S/O.SOMARAJAN,
PUTHENVEEDU, KALANJOOR VILLAGE,
ADOOR TALUK, PATHANAMTHITTA.

BY ADV. SRI. K.SHAJ
SRI.B.BALRAJ
SRI.SAJJU.S

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.Ramkumar, J.

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B.A.No.7389 of 2006

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Dated this the 13th day of December, 2006.

ORDER

Petitioner, who is the fourth accused in Crime No.448 of 2000 of Kottarakara Police Station for offences punishable under Sections 379, 411 and 120 B read with Section 34 I.P.C. in respect of a Maruti Zen motor car, seeks anticipatory bail. The occurrence took place on 20.6.2000.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is also an accused in another crime involving similar offence in respect of another motor vehicle.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is

filed after examining the explanation offered by the petitioner for his previous non-appearance and also after examining his contention that the co-accused in the case has been acquitted.

With this direction, this petition is dismissed.

V.Ramkumar,
Judge.

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